

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Helmut SCHMIDHAMMER et al.

Serial No.: 10/519,388

Filed: December 23, 2004

For: Morphinan Derivatives The Quaternary
Ammonium Salts Thereof Substituted In Position
14, Method For Production And Use Thereof

Examiner: Aulakh, Charanjit

Group Art: 1625

Confirmation No.: 2841

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

S I R:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated August 20, 2008 of the Primary Examiner twice or finally rejecting claims 1-5 and 8-17.

The items checked below are appropriate:

1. [x] The time for response to the Office Action of August 20, 2008 expires on November 20, 2008.
2. [] A _-month extension of time for response to the Office Action dated _ was filed on . [No additional extensions of time are required.]
- 3a. [X] Applicants hereby request a (3) three-month extension of the original shortened statutory response period set in the Office Action of August 20, 2008. With this extension the deadline for filing the required paper will be February 20, 2009.

- 3b. ☐ This is not the first request for an extension of time relative to the outstanding paper. The period for response has already been extended by -month(s) by petition dated . Please extend the time for response by an additional -month(s). With this extension, the deadline for filing the required paper will be . Payment for the additional extension fee of \$ is enclosed.
4. ☒ Payment of **\$1,650.00** (\$540.00 appeal fee + \$1,110.00 extension fee) and any other fee applicable
☐ is enclosed herewith.
☐ No additional fee is required (fee paid in prior appeal).
☒ Charge the fee of **\$1,650.00** to Deposit Account No. 03-2412.
5. ☒ Charge any additional fees required, for example, for lodging this appeal or for filing the Appeal Brief, not otherwise paid, to Deposit Account No. 03-2412.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

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Dated: February 20, 2009